

**SEDONA CITY CODE (1208)**

**3-2-1 CITY MANAGER.**

A. *Office created.* The office of the City Manager is hereby created and established. The City Manager shall be appointed by the Council wholly on the basis of his administrative and executive ability and qualifications and shall hold office for and at the pleasure of the Council.

B. *Bond.* The City Manager shall furnish a corporate surety bond to be approved by the Council in such sum as may be determined by the Council and shall be conditioned upon the faithful performance of the duties imposed upon the manager as herein prescribed. Any premium for such bond shall be a proper charge against the city.

C. *Compensation.* The City Manager shall receive such compensation as the Council shall fix from time to time.

D. *Removal procedure.* The City Manager may be removed from office by a majority vote of the Council; however a manager shall not be removed within 90 days following a city election or the appointment of a City Council member.

E. *Powers and duties.* The City Manager shall be the chief administrative officer of the city government under the direction and control of the Council, except as otherwise provided in this Code. He shall be responsible to the Council for the proper administration of affairs of the city. In addition to his general powers as administrative officer and not as a limitation thereof, he shall have the following additional powers and duties:

1. Appoint and when necessary for the good of the city, suspend or remove all officers and employees of the city not appointed by the Council, [except as otherwise provided in this Code](#). He may authorize the head of a department or office to appoint, suspend or remove subordinates in such office or department. All appointments and removals shall be based upon merit and upon the qualifications and disqualifications of such employee without regard to any political belief or affiliation. All department heads and officers required by law to be appointed by the Council shall be appointed and terminated by the Council with consideration of the recommendations of the City Manager;

2. Prepare the budget annually and submit it to the Council, together with a message describing the important features and be responsible for its administration after adoption. Such budget shall be accompanied by appropriate long range considerations which relate to features of the budget;

3. Prepare and submit to the Council at the end of each fiscal year a complete report on the finances and administrative activities of the city during the preceding year;

4. Review the budget at least quarterly to compare actual revenues with actual expenditures with the budget and furnish the Council with written reports of such comparison;

5. Keep the Council advised of the financial condition and future needs of the city and make such recommendations as he may deem necessary;

6. Recommend to the Council a standard schedule of pay for each appointive office and position in the city service. Authorize the payment of overtime pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformance with wages and salaries enacted by the Council;

7. Recommend to the Council from time to time adoption of such measures which he may deem necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services;

8. Consolidate or combine offices, positions, departments or units under his jurisdiction with the approval of the Council. The City Manager may be the head of 1 or more departments;

9. Attend all meetings of the Council unless excused there from and may take part in the discussion of all matters coming before the Council. He shall receive notice of all regular and special meetings of the Council and attend or designate a subordinate to attend board, commission and committee meetings as necessary;

10. Purchase or supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; let contracts necessary for operation or maintenance of city services. Receive sealed bids for purchases or contracts and present them to the Council for approval, and advise the Council on the advantages or disadvantages of contract and bid proposals. The City Manager may issue such rules governing purchasing procedures within the administrative organization provided that they are consistent with the provisions of the code and state law;

11. In case of city disaster or other circumstances creating a public emergency, the City Manager may award contracts and make purchases for the purpose of meeting said emergency; but he shall file promptly with the Council a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures;

12. See that all laws and ordinances are duly enforced;

13. Investigate the affairs of the city and any department or division thereof. Investigate all complaints in relation to matters concerning the administration of the city government and in regard to service maintained by the public utilities in the city, and see that all franchises, permits and privileges granted by the city are faithfully observed;

14. Perform such other duties as may be required by the Council which are not inconsistent with state law or city ordinances;

15. The City Manager shall receive inquiries from the public by letter, phone, electronic means or in person and shall furnish information or direct the inquiry to the proper source within city government for answer.

### **3-2-5 CITY ATTORNEY.**

The City Attorney shall act as the legal counselor and advisor to the Council and city officers and, shall give his opinion in writing when requested. The City Attorney shall:

A. Draft all deeds, contracts, conveyances, ordinances, resolutions and other legal instruments when required by the Council;

B. Approve as to form, in writing, all drafts of contracts and all official or other bonds before final approval or acceptance thereof by the Council;

C. Return, within 10 days, all ordinances and resolutions submitted to him for consideration by the Council, with his approval or disapproval as to form noted thereon, together with his reasons therefore;

D. Prosecute and defend all suits, actions or causes where the city is a party, and shall report to the Council, when required, the condition of any suit or action to which the city is a party.

### **§ 3-2-6 CITY MAGISTRATE.**

A. The City Magistrate shall be the presiding officer of the magistrate's court and shall be selected by the Council and shall perform those functions necessary to the maintenance of the Magistrate's Court as set forth in this Code, and as provided by the Constitution and laws of ~~the~~this state, ~~this code and other city ordinances,~~ and the applicable orders ~~and~~, rules and directives of the Arizona Supreme Court.

B. The powers and duties of the presiding magistrate shall be those set forth in this Article 3-2, and in Chapter 5 of this Code~~:~~

1. Scheduling assignments of all magistrates;

2. Exercising supervision over all court personnel who directly affect the operation of the court ("Court Personnel"). In exercising supervisory authority, the Magistrate shall comply with the personnel rules, policies and procedures established by the city, including, but not limited to, hiring, classification, salary administration, termination, grievance procedures, sick leave, overtime and vacation time. In grievances involving Court Personnel, the Magistrate shall be substituted for the City Manager. In matters appealed to the Personnel Board by Court Personnel, the findings and decision of the Personnel Board shall be advisory, and shall be forwarded by the Personnel Board to the Magistrate for final action. The Magistrate may delegate supervisory authority under this Section to the Court Administrator.

3. Submitting all reports required by the Constitution and the laws of ~~the~~ state, ~~this code and~~ ordinances of the city;

4. Reporting the activities of the Magistrate Court as reasonably required by the Council;

5. The keeping of a docket in which shall be entered each action and the proceedings of the court therein;

6. The responsibility for fixing and receiving all bonds and bails and receiving all fines, penalties, fees and other monies as provided by law;

7. The payment of all fines, penalties, fees and other monies collected by the court to the City Treasury;

8. Procedures established in A.R.S. Title 22 Chapter 4.